

Comments regarding
Dietary Guidelines for Americans

Submitted to the
Dietary Guidelines Advisory Committee,
U.S. Department of Health and Human Services, and
U.S. Department of Agriculture

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Submitted to:
Crystal Tyler
Graduate School, USDA
600 Maryland Avenue, SW
Suite 330
Washington, D.C. 20024

The Center for Science in the Public Interest (CSPI) respectfully submits to the Dietary Guidelines Advisory Committee (DGAC), the U.S. Department of Health and Human Services (DHHS), and the U.S. Department of Agriculture (USDA) recommendations regarding the bulletin *Nutrition and Health: Dietary Guidelines for Americans*.

CSPI is a non-profit consumer education and advocacy organization that since 1971 has been working to improve the public's health through better nutrition and safer food. CSPI's work is supported primarily by its 800,000 members and subscribers to its *Nutrition Action Healthletter*, the nation's largest circulation health newsletter. CSPI does not accept any government or corporate funding.

CSPI's work was instrumental in passage of the Nutrition Labeling and Education Act of 1990 and the Alcoholic Beverage Labeling Act of 1988. Other initiatives include studies of the nutritional quality of restaurant foods, advocating trans fat labeling on packaged foods, and campaigns to promote low-fat milk consumption, improve school foods, stop misleading food and alcohol advertising, enforce food safety laws, and improve alcoholic-beverage labeling.

Enclosed are eight sets of comments regarding the following guidelines:

- Nutrient Adequacy
- Sodium
- Fibers
- Whole Grains
- Added Sugars
- Energy Balance
- Fatty Acids
- Restaurant Foods
- Food Dyes and Behavior
- Ethanol

Our comments are summarized in the oral testimony which will be presented to the committee on January 29, 2009, which is enclosed.

For more information or questions regarding these comments please contact Alexandra Lewin, Ph.D. at 202.777.8351 or alewin@cspinet.org.

Comments by the Center for Science in the Public Interest on Fatty Acids

I. The guideline should motivate the public to eat healthier diets.

The guidelines should underscore that saturated fat raises LDL (“bad”) blood cholesterol, a major risk factor for coronary heart disease and the leading cause of deaths among American men and women. They should also cite that the Institute of Medicine’s conclusion that a UL (Upper Tolerable Intake Level) “is not set for saturated fatty acids because any incremental increase in saturated fatty acid intake increases CHD risk.”⁸³ The text could stress the urgency by noting understandable statistics from the American Heart association:⁸⁴

- One in three Americans has one or more types of cardiovascular disease (CVD).
- Nearly 2,400 Americans die of CVD each day, an average of one death every 37 seconds.
- CVD claims about as many lives each year as cancer, chronic lower respiratory diseases, accidents and diabetes mellitus combined.
- One in 2.6 women die of CVD.
- Roughly one-third of American adults have LDL (“bad”) cholesterol levels that increase their risk for heart disease and stroke.

II. The guideline should expand its advice about saturated fat.

The text should explain that any food with 4 or more grams of saturated fat is considered “high.” The FDA prohibits health claims on food with at least 4 grams of saturated fat. For example, whole milk labels cannot make a health claim about calcium and osteoporosis because whole milk exceeds that level.

III. The guideline should warn the public about saturated fat in restaurant foods

The Guidelines should give consumers information on the excessive saturated fat levels in many restaurant foods. For example, the Olive Garden desserts, beef, pork, and seafood dishes dwarf saturated levels in foods. These levels are typical, as is clear from the growing number of restaurants that now post nutrients online (see Attachment: U.S. Restaurants with Nutrition Information).

	Calories	Total Fat (g)	Sat. Fat (g)	Sodium (mg)	Carbohydrates
Black Tie Mousse Cake	760	48	27	270	73
Chocolate Gelato	620	25	20	150	89
Lemon Cream Cake	620	35	16	430	69
Tiramisu	510	32	19	75	48
Torta di Chocolate	800	51	29	125	75
White Chocolate Raspberry Cheesecake	890	62	36	490	70
Chianti Braised Short Ribs	1060	58	26	2970	71
Mixed Grill	770	24	5	1980	48
Pork Filetino	640	19	3	840	44
Steak Gorgonzola-Alfredo	1310	73	41	2190	82
Steak Toscano	880	43	14	1700	45
Grilled Shrimp Caprese	900	41	17	3490	82
Herb-Grilled Salmon	510	26	6	760	5
Parmesan Crusted Tilapia	590	25	10	910	42
Seafood Alfredo	1020	52	31	2430	88
Seafood Portofino	800	33	14	1880	85
Shrimp & Asparagus Risotto	620	30	17	2530	44
Shrimp Primavera	730	12	2	1620	110

(http://www.olivegarden.com/menus/garden_fare/nutrition_information.asp)

IV. The guideline should clarify the confusion about cholesterol.

The fat guideline should note that the Institute of Medicine recently concluded that a Tolerable Upper Intake Level is not set for cholesterol because any incremental increase in cholesterol intake increases CHD risk.⁸³ The guideline should recommend that people consume no more than the Daily Value for cholesterol, which is 300 mg. In addition, the guideline should point out that Nutrition Facts labels include a %DV that tells consumers how much of a day's worth of cholesterol a serving of food contains.

Furthermore, the fat guideline should help to clear up the public's confusion about dietary cholesterol. That confusion has been heightened by misleading advertisements by the American Egg Board claiming that eggs do not raise cholesterol. It is particularly important that the *Dietary Guidelines* clear up this confusion because USDA's marketing division approved those ads.

A meta-analysis of well-controlled clinical studies indicate that adding two egg yolks to a daily diet would raise blood cholesterol by 10.8 mg/dL.⁸⁵ Since the average blood cholesterol level among American adults is now 205 mg/dL, a 10.8 mg/dL rise represents a 5.3 percent rise in blood cholesterol. And since a one-percent rise in blood cholesterol translates into at least a two-percent rise in the risk of heart disease, adding two eggs a day to the average person's diet would raise his or her risk of heart disease by 10.6 percent. Even the lower-quality meta-analysis financed by the egg industry shows that

two egg yolks a day would raise blood cholesterol by 9.5 mg/dL.⁸⁶ Furthermore, studies in primates indicate that dietary cholesterol may promote atherosclerosis by mechanisms other than raising blood cholesterol.⁸⁷

V. The Guideline should provide more information about trans fats.

Although the 2005 Guidelines urged the public to limit trans fats, several key points were not included. The 2010 Guidelines should caution consumers that:

- **Naturally occurring trans is not safe.** Some people mistakenly believe that the naturally occurring trans in high-fat foods is less dangerous than trans in partially hydrogenated oils. Recent studies demonstrate that natural trans is as harmful as man-made trans.^{88 89 90}
- **A daily limit should not exceed 2 grams per day.** Food labels have no Daily Value for trans fat because the IOM report simply urged the public to consume as little as possible. Unfortunately, that leaves consumers with no guidance about an acceptable daily limit. They have no way of knowing that many researchers would recommend, at most, only 2 grams of trans a day.
- **Foods with 0 g trans may still contain trans.** Foods can be labeled “0 grams trans” if they contain less than 0.5 grams of trans per serving. However, some foods, such as coffee creamers, are often consumed in quantities greater than one serving. (See Attachment: “Are You Getting Creamed?” NAH, April 2008.)

VI. Evaluate the healthfulness of interesterified oil

Some food manufacturers have been switching from partially hydrogenated oil to other hard fats to prepare pastries, microwave popcorn, and other non-fried foods. We heartily endorse such reformulations because of the health problems caused by trans fat. We urge the DGAC to recommend that people avoid any food containing more than “0 grams”⁹¹ of trans fat per serving while also assessing the amount of saturated fat.⁹²

Companies reformulating their products without partially hydrogenated oil have a limited range of oils from which to choose. Many companies have switched to palm oil (sometimes mixed with other oils). Palm oil has the virtues of being cheap and trans-fat-free. However, it is still fairly high in saturated fat. Also, the production of palm oil in southeast Asia has devastated the ecology, including threatening orangutans and other species with extinction. One alternative is interesterified soybean (or other) oil. That oil is trans-fat-free, produced domestically, fairly rich in unsaturated fatty acids, and can be produced with any chosen melting point. However, some companies have been avoiding it because no authoritative review committee has opined on its safety (and because its unfamiliar name is off-putting to some consumers). We recommend that the committee evaluate the healthfulness of “IE” oil.

VI. The guideline should clarify how to identify “lean” and “extra lean” meats.

The current edition of the *Dietary Guidelines* recommends choosing lean meats. Thanks to USDA’s failure to require Nutrition Facts labels on fresh meat and poultry and to regulate claims on ground beef, advice to choose lean meats is not a guarantee that consumers will end up with lean meat, especially lean *ground beef*, which accounts for a large fraction of the meat consumed by Americans.

“Lean” and “extra lean.”

In 1994, USDA implemented regulations defining “lean” and “extra lean” for most meat and poultry products.⁹³ “Lean” meats can contain no more than 10 grams of fat, 4.5 grams of saturated fat, and 95 mg of cholesterol per 100-gram serving. “Extra lean” meats can contain no more than 5 grams of fat, 2 grams of saturated fat and 95 mg of cholesterol per 100-gram serving. However, the Department exempted ground beef from those definitions.⁹⁴ Therefore, in some supermarkets, ground beef that contains up to 22.5 percent fat can be labeled “lean” or “extra lean,” as permitted by USDA’s rules prior to 1994.

Percent lean.

Adding to the confusion, many supermarkets label their ground beef as “75 (or 80, 85, etc.) percent lean.” No other food can make a “percent lean” or “percent fat-free” claim unless it meets the definition of “low fat” because USDA and FDA agree that a “percent lean” or “percent fat-free” claim is an implied “low-fat” claim.⁹⁵ However, ground beef is exempt from that regulation.³⁰ (Only 97-percent-lean ground beef would meet the definition of “low fat.”)

Therefore, many consumers who purchase ground beef labeled “75 percent lean,” “80 percent lean,” etc. may assume that they are following advice to buy lean meat. In fact, very little of the ground beef that is regularly sold in supermarkets is “lean” (10 percent fat) and none is “low fat” (3 percent fat).

Recommendations to the *Dietary Guidelines*.

Beef is the second largest source of saturated fat in the average American’s diet¹⁷, and ground beef accounts for about 40 percent of the beef sold in the U.S.⁹⁶ Until USDA finalizes regulations on lean claims for ground beef, advice to “choose lean meats” will be hard to follow and potentially misleading for one of the most popular types of meat.

This guideline should warn consumers that labels for ground beef may be misleading. It should advise the public that almost all ground beef--regardless of claims such as “lean” or “80 percent lean”--is high in saturated fat. Even a 3-ounce serving of cooked ground beef that is 10 percent fat supplies 4 grams of saturated fat--a fifth of a day’s worth.

VII. The guideline should clarify its advice on selecting “lean” meats.

The 2005 edition recommends choosing lean, low-fat or fat-free choices when selecting meats. To help guide consumers in selecting healthier meats, Table 9 compares common meat products that are high and low in saturated fat. The meat and poultry products for products that are lower in saturated fat meet both USDA’s “low-fat” and “extra lean” definitions but not the “lean” definition.

Because foods labeled “lean” may contain up to 4.5 grams of saturated fat per 100 grams and per RACC, a consumer is getting about 23% of the DV for saturated fat. Indeed, the low-fat and extra-lean meats are more practical for keeping saturated fat intake within the recommended daily value, as illustrated in Table 9. CSPI advises that the committee clarify its language by advising consumers to select “*extra-lean*”, “low fat”, and “fat free” meats.

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